UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1991/NGO/34
12 February 1991

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-seventh session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by Habitat International Coalition, a non-governmental organization on the Roster

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[8 February 1991]

1. Habitat International Coalition would like to draw the attention of the Commission to the global practice of forced evictions - a practice which clearly violates a number of internationally recognized human rights, in particular the right to adequate housing. It should be recalled that the Committee on Economic, Social and Cultural Rights declared in very clear terms that "the right to housing can be subject to violation ... especially in the context of evictions" and "pursuant to the right to housing, people should be free from threats of eviction or deportation, demolition of their homes or any other form of persecution or harassment". 1/

2. Evictions - defined as the removal of a person, family or group from their home(s) against their will, almost always involving coercion or force and often carried out arbitrarily - affect literally millions of persons

annually. Evictions can be mass in scope, sometimes medium-scale, and may also affect single individuals, families or households.

3. The following illustrative recent examples of the various manifestations which evictions can take reveal both the severity and magnitude of this issue; an issue of human rights yet to be satisfactorily addressed by the Commission - however, one which clearly requires immediate and serious international attention.

Evictions to "beautify cities"

4. In preparation for the celebrations surrounding the 500th anniversary of Columbus' landing in the region, over 15,000 families (at least 100,000 persons) have been forcibly removed from their homes in the cities of Santo Domingo and Santiago, in the Dominican Republic. 2/ The communities most severely affected are: la zona del Faro a Colón (3,800 families); Villa Juana y Villa Consuelo (3,500 families); el Hoyo de Chulín, la 70, la Chivera y La Zurza (3,500 families); Guachupita, La Ciénaga y La Marina (1,600 families); San Carlos y Villa Francisca (1,500 families); Los Cartones y la Prolongación José Contreras (1,200 families) and Sabana Perdida (1,000 families). The vast majority of evictees received no warning or compensation.

5. In December 1990, the United Nations Committee on Economic, Social and Cultural Rights declared the Dominican Republic to be in violation of article 11 of the Covenant on Economic, Social and Cultural Rights because of this eviction programme (see the Committee's report on its fifth session).

6. On 2 May 1990, 48 families were forcibly evicted in Paris, France by a massive police force far outnumbering the inhabitants of the building. The families have camped out in the nearby Place de la Réunion, demanding that their right to safe and affordable housing be fulfilled. 3/

Evictions for "urban redevelopment"

7. Between 17 and 21 April 1990, more than 1,000 families were evicted from the P.D'Mello Road in Bombay, India. The Bombay Municipal Authority with full police force demolished the hutments of these families without legal notice or any form of compensation, even though the families had lived on the affected site for several years. The pavements where the 5,000 people were living were immediately dug up following the destruction of the huts to prevent the resettlement of the families there. In another city, Calcutta, more than 50,000 people were evicted between 1983 and 1988. 4/

8. On 18 May 1990, more than 2,000 people were violently evicted from the squatter settlement Muoroto in Nairobi, Kenya. During the ensuing violence, seven people were killed and dozens injured. Women and children were beaten by policemen while bulldozers razed the settlement to the ground. 5/

Evictions due to "overcrowding"

9. In July 1990 the Government of Morocco announced that 100,000 citizens from the ancient city of Fez would have to leave, under the pretext that the city is "overcrowded and falling into decay". 6/ In Casablanca, a fire of suspicious origin destroyed the bidonville "Ben Msik" on 16 July 1990. One person was killed and 14 wounded, with hundreds left homeless. 7/

Evictions for purposes of political control

10. As many as 500,000 persons have been evicted from their homes since 1988, mostly from Rangoon, Myanmar. Soldiers force evictees to pack their belongings and then transport them to seriously inadequate and poorly equipped "resettlement sites" established by the Committee for the Restoration of Law and Order. Although the Government claims the evictions are intended to benefit the people, most analysts believe military and political control are the actual rationale behind these acts. 8/

Evictions justifed due to "flooding and heavy rains"

11. Following heavy rains in the Maroko district of Lagos, Nigeria the Government issued an eviction order on 6 July 1990, resulting one week later on 13 July in the forcible eviction of over 300,000 persons. The bidonville Maroko had existed since 1958. Since this massive eviction, only severely inadequate arrangements have been made for relocation or compensation. Most victims of the eviction remain essentially homeless. 9/

Evictions due to armed conflict and by foreign military forces

12. Thousands of Panama's poorest citizens were displaced from their homes during the invasion of Panama by the United States in December 1989, as a result of both bombing and subsequent bulldozing. Particularly hard hit were the communities of El Chorrillo and San Miguelinto. Half of El Chorrillo - which had a pre-invasion population of 25,000 - was totally destroyed. More than half of the people forced out of this community are currently living in squalid conditions in two airplane hangers on a former United States air base in 3 foot by 3 foot cubicles. 10/

13. During 1990 there have been at least three armed actions on the part of the Panamanian Public Forces and the United States army to dislodge families from sites where they have settled and built homes. In January 1990, 200 families were evicted from their homes in Tucumen. In San Miguelito, 500 families were forcibly evicted on 13 March 1990 by 700 Public Forces officers accompanied by 200 United States soldiers. More than 400 families were driven from their homes in Panama Viejo by Public Forces officers in early 1990. 11/

Evictions and international events

14. From 1985 until the 1988 Summer Olympic Games, 720,000 persons were forcibly evicted from their homes in Seoul, Republic of Korea. Thirteen people died as a result of these actions, and scores of others suffered injury. Over 100 of the 250 designated "redevelopment sites" in Seoul have been evicted thus far. The remaining sites are home to two million people currently threatened with forced removal, 90 per cent of those evicted do not receive compensation. 12/ South Korea ratified the Covenant on Economic, Social and Cultural Rights in July 1990, thus taking on obligations to fulfil, inter alia, the right to adequate housing.

Evictions through demolition

15. During the first months of 1990 up to 10 per cent of the remaining traditional Tibetan housing in the capital city Lhasa was demolished by the

occupying Chinese authorities. At least 1,500 Tibetans were forced into temporary accommodation as a result of these evictions. The Tibetan quarter of Lhasa has been systematically reduced by the Chinese, currently constituting a mere 2 per cent of the city, whereas prior to the Chinese invasion in 1949 it constituted the entire city. 13/

Evictions and land speculation

16. A study published in 1985 found that 269 slum areas, housing 272,000 people in Bangkok, Thailand were under direct threat of eviction. During the first three months of 1990 five major evictions took place, resulting in the removal of thousands of citizens from their homes. A 1989 report states that "Thailand [is] among the countries with the most violent methods to clear away slums. For years, slum people across Bangkok have faced demolition of their dwellings by the authorities, threats from gangsters, and even arson, apart from normal legal procedures of eviction". 14/

17. These illustrative examples of recent evictions show conclusively that the forced removal of persons from their homes is a very real and ongoing global problem. Without serious and long-term action by the international human rights community, particularly the Commission, it is doubtful whether the dehabilitating practice of eviction will decrease. Evictions must be seen for what they are - a blatant and non-justifiable violation of the internationally recognized rights to adequate housing, to freedom of movement, to privacy and to the right to choose one's residence.

18. Habitat International Coalition encourages the Commission to act immediately with a view to encouraging States to cease the practice of forced eviction.

Notes

1/ Committee on Economic, Social and Cultural Rights, Report of the fourth session (15 January-2 February 1990) (E/C.12/1990/3).

2/ See: Somocurcio and Florian Borbon, "El Proceso de Reordenamiento Urbano y los Desalojos en Santo Domingo", 1989 and COPADEBA, "Remodelación Urbana y Desalojos en Santo Domingo", 1990.

3/ See: HIC, "A Place to Live: News from the Global Campaign for the Right to Housing", June 1990.

4/ Ibid.

5/ See: Weekly Review (Kenya), 1 June 1990.

6/ The Guardian, 18 July 1990.

7/ Reuters, 16 July 1990.

8/ See: Asia Watch Human Rights in Burma (Myanmar), May 1990, pp. 19-24; Dienemann, Peter "400,000 Birmanen zwangsumgesiedelt: Massnahme betrifft vor allem Bewohner in den Hochburgen der Demokratiebewegung" in Die Welt, 17 July 1990.

9/ See: Ben Arrous, Michel "Pluie d'expulsions sur Lagos" ENDA, July 1990.

10/ See: BRECHA: Monthly publication of the Commission for the Defence of Human Rights in Central America (CODEHUCA), January-February 1990, No. 6 and "Invasion Impact Lingers in Panama Slum" in International Herald Tribune, 4-5 August 1990.

11/ CODEHUCA and CONADEHUPA "Panama Delegations Report", No. 2, 16 April 1990.

12/ See: Press release, 12 September 1990, Assessment Mission to the Republic of Korea by the Asian Coalition for Housing Rights and Habitat International Coalition; Battle for Housing Rights in Korea, 1989 and Disposable People: Forced Evictions in South Korea, Catholic Institute for International Relations, 1988.

13/ See: Tibet Information Network, "TIN Housing Supplement, November 1990: Reconstruction in the Old City of Lhasa", 10 November 1990.

14/ See: "Human Rights in Thailand Report", vol. 13, No. 1-2, January-June 1989 and Smucker, P. "Let My People Stay: Bangkok Squatters Fight for Housing Rights" in Development and Cooperation, April 1989.